

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 330

## Complete if Known

Application Number	10/047,925
Filing Date	January 14, 2002
First Named Inventor	Moore, Raymond
Examiner Name	Meinecke Diaz, Susanna
Art Unit	3623
Attorney Docket No.	020375-008600US

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number

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## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below		Fee Paid
Total Claims		**	=		X	
Independent Claims		**	=		X	
Multiple Dependent					X	

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	330
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

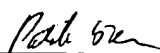
Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid SUBTOTAL (3)

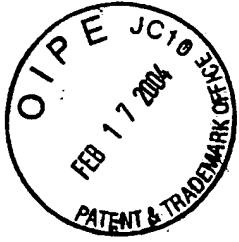
(\$330)

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type)	Patrick M. Boucher	Registration No. (Attorney/Agent)	44,037	Telephone	303-571-4000
Signature				Date	February 13, 2004

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On February 14, 2004

TOWNSEND and TOWNSEND and CREW LLP

By: Kevin L. McNeil

Attorney Docket No.: 020375-008600US

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re application of:

Raymond Moore

Application No.: 10/047,925

Filed: January 14, 2002

For: METHODS AND SYSTEMS FOR  
MANAGING BUSINESS  
REPRESENTATIVE DISTRIBUTIONS

Examiner: Meinecke Diaz, Susanna M.

Art Unit: 3623

APPELLANT BRIEF UNDER 37 CFR  
§1.192

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Sir:

Appellant offers this Brief further to the Notice of Appeal mailed on December 17, 2003. This Brief is submitted in triplicate as required by 37 CFR §1.192(a).

1. Real Parties in Interest

The real party in interest is First Data Corporation.

## 2. Related Appeals and Interferences

No other appeals or interferences are known that will directly affect, are directly affected by, or have a bearing on the Board decision in this appeal.

## 3. Status of Claims

Claims 1 – 27 are currently pending in the Office Action. All the claims stand rejected pursuant to a Final Office Action mailed September 18, 2003 (paper no. 8, hereinafter “the Final Office Action”).

Claims 1, 2, 9, 11, 13, 14, 19, and 20 were amended by Preliminary Amendment and original Claim 27 was amended during prosecution. The remaining claims are currently pending as originally filed.

The rejections of all the claims are believed to be improper and are the subject of this appeal. A copy of the claims as rejected is attached as an Appendix.

## 4. Status of Amendments

No amendments have been filed subsequent to the final rejection mailed September 18, 2003 (paper no. 8).

## 5. Summary of the Invention

In one embodiment, the invention relates to methods and systems for managing a geographical distribution of business representatives. Managing such geographical distributions may be important to a variety of different types of businesses, such as for those that use representatives to market goods and/or services (Application, p.

1, ll. 11 – 13). The representatives are assigned to specific geographical regions so that efforts of the representatives are manageable and not duplicative of other representatives' efforts (*id.*, p. 1, ll. 13 – 22). When the collective area being covered by representatives is large, the administration of such an organization may be cumbersome — it needs to respond to demographic population changes, business-strategy changes, sales-volume fluctuations, personnel changes, variations in experience level, and the like, all of which affect the efficient assignment of representatives (*id.*, p. 1, ll. 24 – 32).

Embodiments of the invention therefore provide methods and systems that allow the geographical distributions to be managed in a manner that permits reassignments of representatives and modifications to the geographical organizational structure to be performed easily and effectively. The embodiments are described in the application in terms of “geographical units,” which are defined to refer generically to any contiguous or noncontiguous geographical area that may be assigned to a business representative (*id.*, p. 4, l. 1 – 3); examples include postal or ZIP code regions, telephone-area-code regions, regions defined according to political divisions or population regions, and the like (*id.*, p. 4, ll. 3 – 11). In managing the assignment of geographical units to representatives, a map interface is provided that shows the geographical arrangement of at least some of the geographical units (*id.*, p. 6, ll. 10 – 12). A drawing facility is provided within the interface that permits traces to be drawn on the map (*id.*, p. 8, ll. 18 – 21); the trace may be drawn using a mouse or in freehand fashion by using a device such as a light pen (*id.*, p. 8, ll. 18 – 23).

The drawing facility is used by a user to draw a trace that surrounds the geographical unit(s) on which management functions are to be performed (*id.*, p. 8, ll. 21 – 22). The application recognizes that because information is being input with a drawn trace it is possible that the trace might not form a closed loop, explaining that endpoints of any open-loop trace may be closed by identifying endpoints and joining them linearly or with a curved segment (*id.*, p. 8, ll. 24 – 29). In this way, the trace drawn to surround the desired geographical unit(s) defines a geographical area that includes them as effectively when drawn as an open trace as when drawn with a closed trace (*id.*, p. 8, ll.

29 – 31). The geographical unit(s) enclosed within the defined geographical area are then identified by the system and may be highlighted for the user, making it easier for the user to be certain that the trace he drew surrounded the intended geographical unit(s) (*id.*, p. 8. ll. 33 – 34). This sequence is illustrated in Figs. 3A – 3D, which highlights the convenience of using a trace drawn to surround desired geographical units so that the system may identify geographical units within the geographical area defined by the trace instead of requiring their specific identification by the user.

Once the geographical unit(s) have been identified, the system may modify a variety of stored characteristics of the identified geographical unit(s), such as assigning a business representative, changing business-representative assignments, dividing a unit, combining units, and the like (*id.*, p. 9 – p. 10, l. 26).

## 6. Issues

Issue 1: Whether under 35 U.S.C. §102(a) Claims 1 – 3 and 7 – 27 are anticipated by CACI FieldForce Planning services and territory optimization software as disclosed in references identified in the Final Office Action and herein as “CACI Information Solutions” and “CACI Limited Home Page.” Section 5 of the Final Office Action, supplemented by remarks in Section 3 of the Final Office Action, describes the Examiner’s position on this issue

Issue 2: Whether under 35 U.S.C. §103(a) Claims 4 – 6 are unpatentable over CACI FieldForce Planning services and territory optimization software. Section 7 of the Final Office Action, supplemented by remarks in Section 3 of the Final Office Action, describes the Examiner’s position on this issue.

## 7. Grouping of the Claims

For purposes of this appeal, the claims are grouped as follows:

Group I: Claims 1 – 3 and 7 – 27; and

Group II: Claims 4 – 6

Appellant reserves the right outside the context of this appeal to argue independent patentability of the grouped claims.

## 8. Argument

### a. Issue 1, Group 1:

The claims of Group 1 stand rejected as anticipated by the CACI FieldForce Planning services and territory optimization software. For a rejection to be maintained under §102, the Examiner is charged with establishing that every limitation recited in the claims is taught in the cited reference, either expressly or inherently. Manual of Patent Examining Procedure, Eighth Edition, First Revision, February, 2003 (hereinafter “MPEP”) 2131.

In this instance, at least the limitations of Claim 1 requiring “receiving a trace defining a closed geographical area” and “identifying at least one geographical unit within the closed geographical area” are not disclosed in the CACI FieldForce Planning services and territory optimization software. Similar limitations are recited in the independent apparatus claims, Claims 13 and 19, so that the following discussion applies to those claims also. In asserting that those limitations are disclosed, the Final Office Action has argued for the application of unnatural definitions to certain words used in these limitations — definitions that are inconsistent with the plain meaning of such words and to their context in the specification, which supports Appellant’s view that they should be construed according to their plain meaning (*see* MPEP 2111 requiring that “[t]he broadest reasonable interpretation of the claims must also be consistent with the interpretation that those skilled in the art would reach” and MPEP 2111.01 requiring that

“the words of the claim must be given their plain meaning unless applicant has provided a clear definition in the specification”).

First, the CACI FieldForce Planning services and territory optimization software does not disclose “receiving a trace defining a closed geographical area.” The Final Office Action cites pages 6 and 7 of CACI Information Solutions and page 5 of CACI Limited Home Page for such a disclosure, commenting that “[i]dentifying a closed geographical area is inherent to allow CACI to analyze the sales territory(ies) to be optimized” (Final Office Action, ¶5, p. 5). But this misstates the claim limitation, which instead requires “*receiving a trace* defining a closed geographical area.” There is no disclosure of receiving such a trace in the cited materials, either expressly or inherently.

“To establish inherency, the extrinsic evidence ‘must make clear that the missing descriptive matter *is necessarily present* in the thing described in the reference, and that it would be so recognized by persons of ordinary skill’ ” (MPEP 2112, *citing In re Robertson*, 49 USPQ2d 1949, 1950 – 51 (Fed. Cir. 1999), emphasis added). In this instance, not only is there nothing in the cited material to show that receipt of a trace is necessarily required with the CACI FieldForce service, there are explicit indications that a trace is *not* received. While the Final Office Action focuses only on *identification* of a geographical area, there are numerous ways in which such identification might be done. Identification could be performed by having a user type in a name for an area, by using voice-recognition software to identify a spoken identification of an area, by labeling areas numerically and receiving a typed or spoken indication of the numerical label, and so on. In fact, the graphical displays shown on pages 6 and 7 of CACI Information Solutions suggest that precisely such a numerical labeling is used in the cited art. Enlarged versions of these graphical displays are provided in Exhibit 1, from which it is plainly evident that such numerical identifiers are provided on a map, suggesting that they are used as a means of identification. Rather than merely requiring identification of a closed geographical area, the claims recite the narrower limitation of receiving a trace defining

the closed geographical area, a limitation that is neither taught nor suggested in the cited art.

In response to an earlier presentation of this argument, the Examiner cited a definition of “trace,” but has used a definition of the verb “to trace.” This distorts the construction of the claim language, which uses “trace” as a noun. A copy of the definition of the noun “trace” from the same source used by the Examiner, i.e. from Merriam Webster’s Collegiate Dictionary (10th ed.) defines trace as “something (as a line) traced or drawn” (Exhibit 2). This sense of a trace as a drawn line is clearly how the term is used in the claim, as further evidenced by the discussion in the specification explaining that “a ‘Draw’ facility ... permits traces to be drawn on the map” (Application, p. 8, l. 18). The Examiner appears to contend that a trace defining a closed geographical area is received by the CACI FieldForce software merely because the territories identified by numerical identifiers have boundaries (Final Office Action, ¶3, pp. 2 – 3). But the mere fact that the identified territories have boundaries does not change the fact that they are identified in a manner different from what is claimed.

Second, there is no disclosure in the cited art of the limitation of “identifying at least one geographical unit *within* the closed geographical area” (emphasis added). In articulating the rejections of the claims, the Final Office Action acknowledges treating the “geographical area” and the “geographical unit” recited in the claims as identical (*id.*, ¶3, p. 3). But the claim language instead requires that they be spatially noncoextensive since the claims limit the at least one geographical unit to being “within” the closed geographical area. Thus, the trace that defines the closed geographical area *surrounds* the at least one geographical unit rather than being coextensive with it (*see* Application, p. 8, ll. 21 – 22). This distinction between the geographical unit and the surrounding geographical area is plainly illustrated in the application, such as in the drawing sequence of Figs. 3B – 3D. The portions of the prior art cited in the Office Action for this limitation make no distinction between a geographical unit and a



geographical area; they consequently fail to disclose identification of a geographical unit *within* a closed geographical area defined by a received trace.

The Examiner has attempted to justify treating the “geographical unit” and “geographical area” as identical by making a wholly inappropriate analogy to the mathematical field of set theory, in which a subset of a set may be equal to the set (Final Office Action, ¶3, p. 3). But the mandate for construing claim language during prosecution is that words be given their plain meaning (unless defined differently in the specification). MPEP 2111.01. While “within” used as a preposition indicates enclosure or containment (*see* Exhibit 3, Merriam Webster’s Online Dictionary definition of “within”), it plainly does not extend to describe the relationship of something to itself: just as no one would refer to a box being within itself, a house being within itself, or a cup being within itself, so too is it improper to construe the claim language as encompassing a geographical unit being within itself.

b. Issue 2, Group 2:

The claims of Group 2 stand rejected as unpatentable over the CACI FieldForce Planning services and territory optimization software. For a rejection to be maintained under 35 U.S.C. §103(a), the Examiner is charged with factually supporting a *prima facie* case of obviousness. MPEP 2142. Such a *prima facie* case requires, *inter alia*, that all limitations of the claims be taught or suggested by the cited reference and that there be some suggestion or motivation to modify the reference teachings as the Examiner proposes. MPEP 2143. The Court of Appeals for the Federal Circuit (“CAFC”) has repeatedly emphasized the need to apply the requirement that there be such a motivation rigorously, cautioning that such rigor is “the best defense against the subtle but powerful attraction of a hindsight-based obviousness analysis.” *In re Dembiczak*, 50 USPQ2d 1614, 1617 (Fed. Cir. 1999). “The need for specificity pervades this authority.” *In re Lee*, 61 USPQ2d 1430, 1433 (Fed Cir. 2002).

In this instance, the Examiner appears to have relied exclusively on Official Notice as the basis for the limitations recited in the claims of Group 2 and to provide the requisite motivation to modify the CACI FieldForce Planning software. While Appellant traversed such Official Notice with respect to the motivation to combine and because the technical line of reasoning underlying the decision to take such Notice was insufficient in the context of the presented claims (Amendment filed August 28, 2003, paper no. 7, pp. 10 – 11), the Examiner has failed to supply documentary proof required under MPEP 2144.03 in response to Appellant's request. Specifically, the technical line of reasoning maintained in the Final Office Action is the following:

However, Official Notice is taken that it is old and well-known in the art of graphical user interface to allow a user to input data using a freehand trace, via a pen and digitizing tablet or a touch screen. These input methods allow a user to more conveniently enter data, especially data associated with various geographic coordinates (i.e., data which would require multiple inputs through a keyboard as opposed to a quick stroke of the hand to manually draw out or select a particular geographic area). Therefore, it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to implement with CACI the ability of a user to enter geographical territory data in the form of a freehand trace (claim 4), using either a pen and digitizing tablet (claim 5) or a touch screen (claim 6) in order to allow the user to more conveniently enter data, especially data associated with various geographic coordinates (i.e. data which would require multiple inputs through a keyboard as opposed to a quick stroke of the hand to manually draw out or select a particular geographic area).  
(Final Office Action, ¶7, pp. 8 – 9)

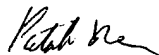
As is evident, this reasoning relies fundamentally on the view that geographic coordinate data can be entered more easily with a freehand trace than with keyboard data. In the case of the CACI FieldForce Planning application, however, entry of the reference numbers suggested by the graphical displays shown on pages 6 and 7 of CACI Information Solutions is at least as simple as providing a freehand trace. Entry of a two-digit reference number through a keyboard is not significantly less convenient than performing such a freehand trace. What the use of a freehand trace advantageously permits is the ability to define a closed geographical area that surrounds at least one geographical unit that is subsequently identified within the geographical area.

The Examiner's dismissal of this argument as merely "recogniz[ing] another advantage which would flow naturally from following the suggestion of the prior art" (Final Office Action, ¶3, p. 4) is a misstatement of the argument. Appellant does not rely on the existence of an unrecognized advantage flowing from a suggestion of the prior art for patentability, but instead disputes that the Examiner has even properly identified any such suggestion. The Examiner's view that a *prima facie* case may be established merely because the prior art "does not prevent one of ordinary skill in the art from further enhanc[ements]" (*id.*, ¶3, p. 4) is an inaccurate characterization of the standard. The standard is not whether the prior art "prevents" the proposed modification but whether there is some motivation or suggestion, either in the reference itself or in knowledge generally available to one of ordinary skill in the art, to make the proposed modification. As noted above, the CAFC has been at pains to ensure that this proper standard be enforced with specificity, and the Examiner has failed to meet it.

#### 9. Conclusion

Appellant believes that the above discussion is fully responsive to all grounds of rejection set forth in the application. Please deduct the requisite fee of \$330.00 pursuant to 37 C.F.R. §1.17(c) from Deposit Account 20-1430 and any additional fees that may be due in association with the filing of this Brief.

Respectfully submitted,

  
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60124043 v1

**APPENDIX**

The claims pending in the application are as follows:

1. (Previously Presented) A method for managing a geographical distribution of business representatives, the method comprising:  
receiving a trace defining a closed geographical area;  
identifying at least one geographical unit within the closed geographical area; and  
receiving information regarding the at least one geographical unit in response to input from a user.
2. (Previously Presented) The method recited in claim 25 wherein modifying the stored characteristic of the at least one geographical unit comprises assigning a business representative to the at least one geographical unit.
3. (Original) The method recited in claim 2 wherein assigning a business representative to the at least one geographical unit comprises substituting the business representative for a prior business representative.
4. (Original) The method recited in claim 1 wherein receiving a trace defining a closed geographical area comprises receiving a freehand trace.
5. (Original) The method recited in claim 4 wherein the freehand trace is provided with a pen and digitizing tablet.
6. (Original) The method recited in claim 4 wherein the freehand trace is provided with a touch screen.

7. (Original) The method recited in claim 1 wherein the at least one geographical unit is comprised by a hierarchy of geographical units.

8. (Original) The method recited in claim 1 wherein the at least one geographical unit is comprised by an established set of geographical units.

9. (Previously Presented) The method recited in claim 25 wherein modifying the stored characteristic of the at least one geographical unit comprises removing the at least one geographical unit from an established set of geographical units.

10. (Original) The method recited in claim 8 further comprising updating an assignment of business representatives to geographical units in accordance with a change in the established set of geographical units.

11. (Previously Presented) The method recited in claim 25 wherein modifying the stored characteristic of the at least one geographical unit comprises adding the at least one geographical unit to an established set of geographical units.

12. (Original) The method recited in claim 1 further comprising displaying an assignment of a plurality of business representatives to a plurality of geographical units graphically.

13. (Previously Presented) A computer-readable storage medium having a computer-readable program embodied therein for directing operation of a computer system including an input device, a display device, a processor, and a storage device, wherein the computer-readable program includes instructions for operating the computer system to manage a geographical distribution of business representatives in accordance with the following:

receiving a trace from the input device defining a closed geographical area;  
identifying at least one geographical unit within the closed geographical area with the processor; and  
receiving information regarding the at least one geographical unit in response to input from a user.

14. (Previously Presented) The computer-readable storage medium recited in claim 26 wherein modifying the stored characteristic of the at least one geographical unit comprises assigning a business representative to the at least one geographical unit.

15. (Original) The computer-readable storage medium recited in claim 13 wherein the at least one geographical unit is comprised by a hierarchy of geographical units.

16. (Original) The computer-readable storage medium recited in claim 13 wherein the at least one geographical unit is comprised by an established set of geographical units.

17. (Original) The computer-readable storage medium recited in claim 16 wherein the computer-readable program further includes instructions for updating an assignment of business representatives to geographical units in accordance with a change in the established set of geographical units.

18. (Original) The computer-readable storage medium recited in claim 13 wherein the computer-readable program further includes instructions for displaying an assignment of a plurality of business representatives to a plurality of geographical units graphically on the display device.

19. (Previously Presented) A computer system comprising:  
an input device;  
a storage device;  
a processor in communication with the input device and the storage device; and

a memory coupled with the processor, the memory comprising a computer-readable storage medium having a computer-readable program embodied therein for operating the computer system to manage a geographical distribution of business representatives, the computer-readable program including:

instructions for receiving a trace from the input device defining a closed geographical area;

instructions for identifying at least one geographical unit within the closed geographical area with the processor; and

instructions for receiving information regarding the at least one geographical unit in response to input from a user.

20. (Previously Presented) The computer system recited in claim 27 wherein the instructions for modifying the stored characteristic of the at least one geographical unit comprise instructions for assigning a business representative to the at least one geographical unit.

21. (Original) The computer system recited in claim 19 wherein the at least one geographical unit is comprised by a hierarchy of geographical units.

22. (Original) The computer system recited in claim 19 wherein the at least one geographical unit is comprised by an established set of geographical units.

23. (Original) The computer system recited in claim 22 wherein the computer-readable program further includes instructions for updating an assignment of business representatives to geographical units in accordance with a change in the established set of geographical units.

24. (Original) The computer system recited in claim 19 further comprising a display device in communication with the processor, wherein the computer-readable program further includes instructions for displaying an assignment of a plurality of business representatives to a plurality of geographical units graphically on the display device.

25. (Previously Presented) The method recited in claim 1 further comprising modifying a stored characteristic of the at least one geographical unit in response to the received information.

26. (Previously Presented) The computer-readable storage medium recited in claim 13 wherein the computer-readable program further includes instructions for operating the computer system for modifying a stored characteristic of the at least one geographical unit on the storage device in response to the received information.

27. (Previously Presented) The computer system recited in claim 19 wherein the computer-readable program further includes instructions for modifying a stored characteristic of the at least one geographical unit on the storage device in response to the received information.



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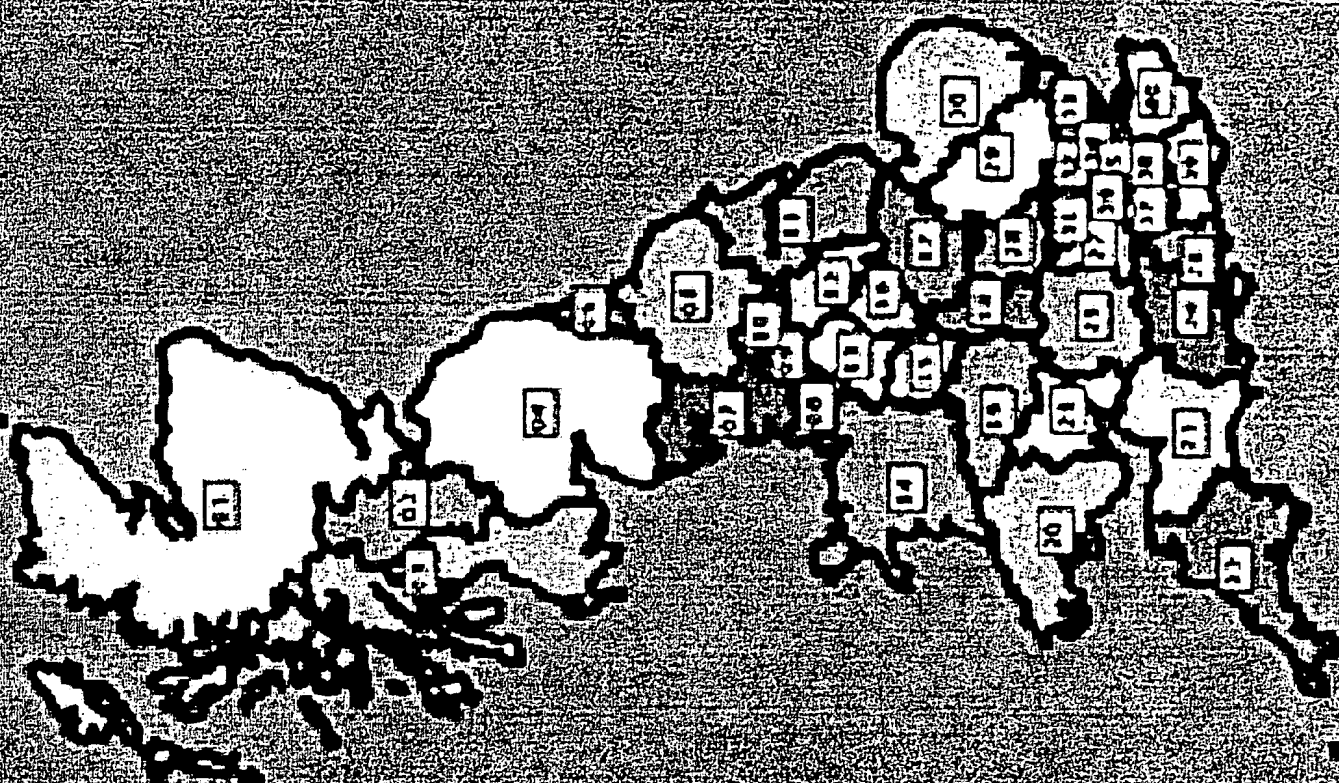
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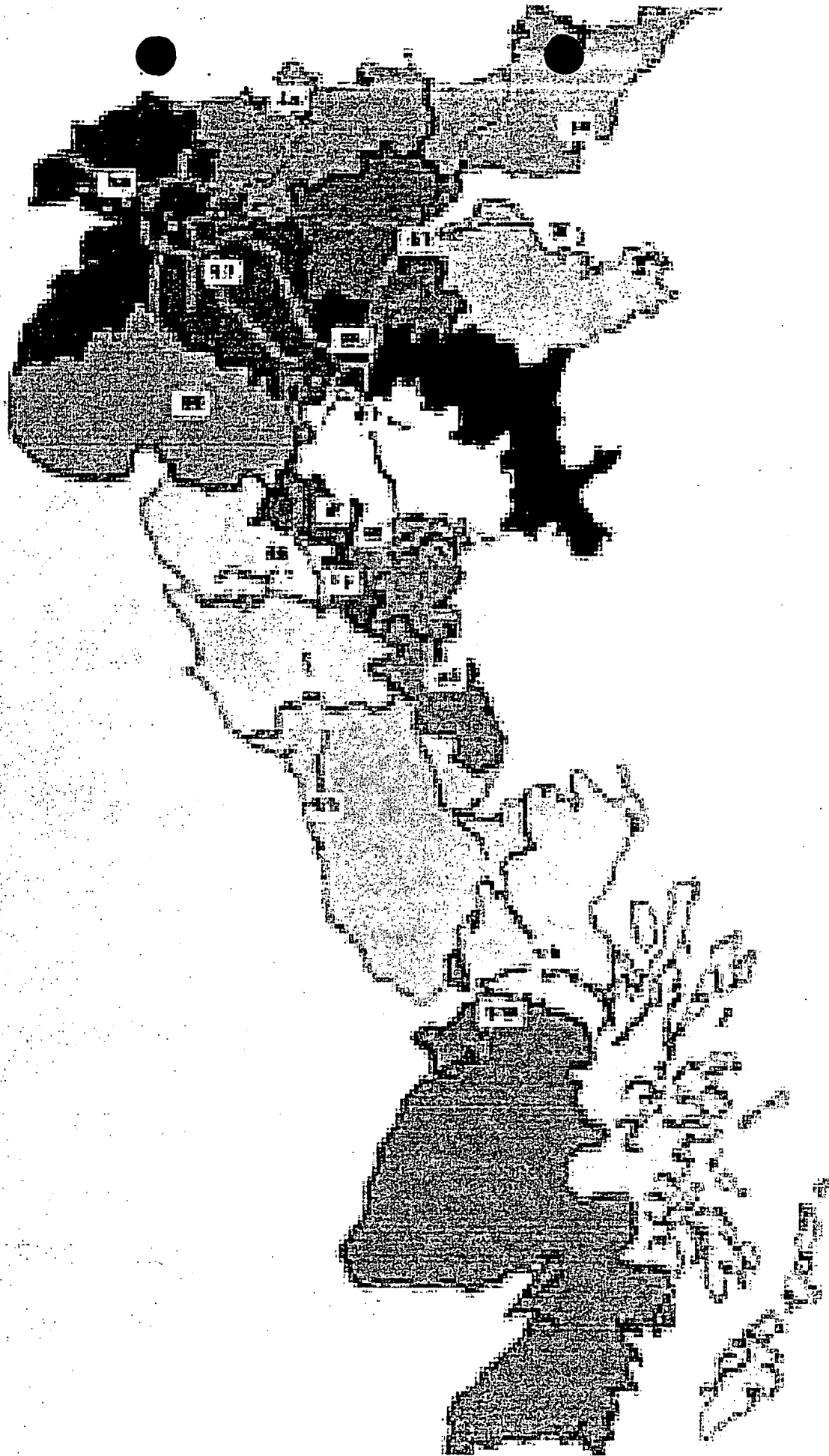
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- ▶ Home ▶ Help
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- ▶ Company Info
- ▶ Customer Service
- ▶ Network Options
- ▶ Language Zone
- ▶ The Lighter Side
- ▶ Site Map

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Encyclopædia Britannica

Dictionary

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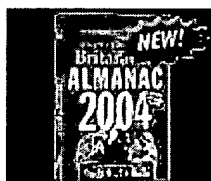


7 entries found for **trace**.  
To select an entry, click on it.

trace[1,noun]    ▲    Go  
 trace[2,verb]    ▼  
 trace[3,noun]    ▼  
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 memory trace  
 trace element

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Main Entry: **1**trace

Pronunciation: 'trAs

Function: *noun*Etymology: Middle English, from Middle French, from *tracier* to trace

Date: 14th century

**1** *archaic* : a course or path that one follows

**2** **a** : a mark or line left by something that has passed; *also* :  
**FOOTPRINT** **b** : a path, trail, or road made by the passage of  
animals, people, or vehicles

**3** **a** : a sign or evidence of some past thing : **VESTIGE** **b** : **ENGRAM**

**4** : something (as a line) *traced* or drawn: as **a** : the marking made  
by a recording instrument (as a seismograph or kymograph) **b** : the  
ground plan of a military installation or position either on a map or  
on the ground

**5** **a** : the intersection of a line or plane with a plane **b** : the usually  
bright line or spot that moves across the screen of a cathode-ray  
tube; *also* : the path taken by such a line or spot

**6** **a** : a minute and often barely detectable amount or indication <a  
*trace* of a smile> **b** : an amount of a chemical constituent not  
always quantitatively determinable because of minuteness

- **traceless** /-l&s/ *adjective*

**synonyms** **TRACE**, **VESTIGE**, **TRACK** mean a perceptible sign made  
by something that has passed. **TRACE** may suggest any line, mark,  
or discernible effect <a snowfield pockmarked with the *traces* of  
caribou>. **VESTIGE** applies to a tangible reminder such as a  
fragment or remnant of what is past and gone <boulders that are

trace

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trace

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*vestiges* of the last ice age>. TRACK implies a continuous line that can be followed <the fossilized *tracks* of dinosaurs>.

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### Pronunciation Symbols

Click on the example word to hear it pronounced.

\&\ as a and u in <u>abut</u>	\e\ as e in <u>bet</u>	\o\ as aw in <u>law</u>
\&\ as e in <u>kitten</u>	\E\ as ea in <u>easy</u>	\oi\ as oy in <u>boy</u>
\&r\ as ur/er in <u>further</u>	\g\ as g in <u>go</u>	\th\ as th in <u>thin</u>
\a\ as a in <u>ash</u>	\i\ as i in <u>hit</u>	\th\ as th in <u>the</u>
\A\ as a in <u>ace</u>	\I\ as i in <u>ice</u>	\ü\ as oo in <u>loot</u>
\ä\ as o in <u>mop</u>	\j\ as j in <u>job</u>	\u\ as oo in <u>foot</u>
\au\ as ou in <u>out</u>	\[ng]\ as ng in <u>sing</u>	\y\ as y in <u>yet</u>
\ch\ as ch in <u>chin</u>	\O\ as o in <u>go</u>	\zh\ as si in <u>vision</u>

For more information see the Guide To Pronunciation.

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Main Entry: <sup>2</sup>**within**Function: *preposition*

**1** -- used as a function word to indicate enclosure or containment

**2** -- used as a function word to indicate situation or circumstance in the limits or compass of: as **a** : before the end of <gone *within* a week> **b** (1) : not beyond the quantity, degree, or limitations of <live *within* your income> (2) : in or into the scope or sphere of <*within* the jurisdiction of the state> (3) : in or into the range of <*within* reach> <*within* sight> (4) -- used as a function word to indicate a specified difference or margin <came *within* two points of a perfect mark> <*within* a mile of the town>

**3** : to the inside of : **INTO**

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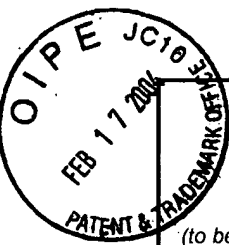
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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)		Application Number	10/047,925
		Filing Date	January 14, 2002
		First Named Inventor	Moore, Raymond
		Art Unit	3623
		Examiner Name	Meinecke Diaz, Susanna
Total Number of Pages in This Submission		Attorney Docket Number	020375-008600US

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